

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

IN RE GENETICALLY MODIFIED )        4:06 MD 1811 CDP  
RICE LITIGATION              )  
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This order Applies to:

The Simpson Company v. Bayer Cropscience, L.P., et al., 4:07CV875 CDP

**MEMORANDUM AND ORDER**

Plaintiff The Simpson Company has moved to remand this case to state court. Defendant Bayer Cropscience, L.P. admits that, under Eighth Circuit case law, it and plaintiffs share Indiana citizenship, so complete diversity does not exist. As a result, I do not have jurisdiction in this case. Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff The Simpson Company's Motion to remand [#278, #7] is granted, and the Clerk of Court shall remand this matter to the 23rd Judicial District Court of Matagorda County, Texas, from which it was removed.

*Catherine D Perry*  
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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 24th day of September , 2007.